

A Regular Meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the fourth day of June 2003, at 7:30P.M, and there were present:

PRESENT: Stanley J. Keysa, Chairman
Rebecca Anderson, Member
John P. Gober, Member
Lawrence Korzeniewski, Member
Michael Myszka, Member
Steven Socha, Member

EXCUSED: Melvin Szymanski, Member

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Robert Labenski, Town Engineer
Jeffrey H. Simme, Building & Zoning Inspector
Richard J. Sherwood, Town Attorney
Mary Nowak, Recording Secretary

Meeting #11
June 4, 2003

Planning Board Members: Stanley J. Keysa, Chairman
Rebecca Anderson
John P. Gober
Lawrence Korzeniewski
Michael Myszka
Steven Socha
Melvin Szymanski

Town Board Members: Robert H. Giza
Mark A. Montour
Ronald Ruffino, Sr.
Donna G. Stempniak
Richard D. Zarbo

Town Engineer: Robert Labenski

Town Attorney: Richard J. Sherwood

Building & Zoning Inspector: Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held June 4, 2003. Please review if for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Stanley J. Keysa,
Planning Board Chairman

SJK:mn

Meeting called to order by Chair Keysa at 7:30 PM. Motion was made by Michael Myszka to approve the Planning Board Minutes from the May 7, 2003; seconded by Rebecca Anderson and unanimously carried.

COMMUNICATIONS:

ACTION ITEMS -

OLD BUSINESS/FOLLOW-UP DISCUSSION - IN REGARD TO THE CONFIGURATION OF FOUR (4) LOTS IN SUMMERFIELD FARMS SUBDIVISION - PHASE III. CONTACT PERSON: WILLIAM TUYN, PRATT & HUTH.

William Tuyn, Planner, Pratt & Huth presented to the Planning Board the re-configuration of four lots in the Summerfield Farms Subdivision Phase III. The preliminary plat review for this project was recommended for conditional approval to the Town Board on March 5, 2003. One condition of the recommendation was that the division lines on these lots needed to be re-addressed. Mr. Tuyn told the Planning Board that the dimensions of these lots have been reconfigured with dimension of 90' X 125'. The corner lot is 100' X 125'. He stated that these lots will not require any variances and are very "buildable". He asked that condition #1 that was placed on the preliminary plat review recommendation on March 5, 2003 be removed. Regarding deeding the encumbered portion of these lots to the Town, Councilmember Donna Stempniak told the Planning Board that the Town Board has elected not to change its policy concerning ownership of wetlands and floodplains in developments. Therefore, the encumbered portions of these lots will not be deeded to the Town. Mr. Tuyn explained that the encumbered areas will be regulated by New York State Dept. of Environmental Conservation and the Army Corps of Engineers. These areas will be marked out when the lots are surveyed. When construction begins, these areas will be marked with a steel rebar driven into the ground with an aluminum cap on top. Mr. Tuyn also told the Planning Board that there has been no mitigation regarding Henslow's Sparrows, but a meeting is scheduled with NYSDEC to discuss this issue as more of these birds had nested in this area.

DETERMINATION

Based on the information presented to the Planning Board, Lawrence Korzeniewski made a motion to remove condition No.1 from the Preliminary Plat Review recommendation imposed on March 5, 2003. Applicant is to meet with NYSDEC to discuss and satisfy the issue of Henslow's Sparrows in regard to this phase of the subdivision. Motion seconded by John Gober and duly carried by a vote of 5 ayes and one nay.

REVISED SITE PLAN/COLUMBIA SUBDIVISION, NORTH OF COLUMBIA/SOUTH OF KENNEDY COURT, PROJECT #2033. 48 SINGLE -FAMILY DWELLINGS. CONTACT PERSON: WILLIAM TUYN, PRATT & HUTH.

Chair Keysa stated that this project lies within the two municipalities of the Village of Depew and the Town of Lancaster. He indicated that there were representatives from the Depew Village Government in the audience: Robert Kucewicz, Village Clerk, Nicholas Sherwood, Village Trustee, and Ronald Baginski, Planning Board Chairman. Chair Keysa asked the Planning Board for a motion to authorize the Chair to recognize one or more of these representative on the issue before the Planning Board. Michael Myszka made this motion, which was seconded by John Gober and unanimously carried.

William Tuyn, Planner, Pratt & Huth and Elliot Lasky, Forbes Homes, presented to the Planning Board the reconfigured sketch plan for the proposed 48 single-family lot subdivision on the 21-acre parcel. This sketch plan shows that the previously shown cul-de-sac has been removed and the elbow in the road has been eliminated. The plan shows that each lot is entirely in one jurisdiction or the other. Mr. Lasky explained that there is an existing house shown as an exception. The Filipowicz house will remain, but the sheds will come down. Member Anderson pointed out that lot #5 extends through the detention basin. Mr. Tuyn stated that this would be addressed. Drainage - Mr. Tuyn told the Planning Board that two unnamed tributaries of Scajaquada Creek run through this property. According to the sketch plan, the north tributary will remain a natural channel, and the south tributary will be piped. Chair Keysa asked the members of the Depew Government if they had any comments or questions. Mr. Kucewicz stated that a meeting is scheduled between Mr. Tuyn and the Village of Depew to discuss this project, so they will ask their

questions at that time. Chair Keysa stated that the members of the Depew Government will be invited to all future Town of Lancaster Planning Board Meetings that address this item.

DETERMINATION

Based on the information presented to the Planning Board, Lawrence Korzeniewski made a motion to recommend approval of the portion of the sketch plan that lies in the Town of Lancaster to the Town Board with the notation that inter-municipal contracts will be necessary. Motion seconded by Rebecca Anderson and unanimously carried.

SITE PLAN REVIEW/MEADOWOOD APARTMENTS, 4845 TRANSIT ROAD. PROPOSED EXPANSION OF 84 APARTMENTS, TOTAL ACREAGE IS 9.7 ACRES - PROJECT NO. 0321. CONTACT PERSON: BRETT FITZPATRICK

Brett Fitzpatrick, Meadowood Apartments, Neil Kochus, William Schutt Associates, and William Schneider, Schneider Architects presented to the Planning Board the site plan for the proposed 84-apartment expansion on 9.7 acres behind the existing apartment complex. The expansion would also include 84 garage units, a pool, and a clubhouse. Mr. Fitzpatrick told the Planning Board that a loop will be created to maximize greenspace between units and create a buffer between the two sections. The buildings will be faced with brick and vinyl siding and shutters. According to the site plan the garages will be situated opposite the housing units and will have 10' driveways. The Planning Board recommended that the streets be moved toward the center to provide safety for residents when backing out of the driveways. There was a question regarding what could be done to enhance the back of the garage units, since there is a development behind this property. Mr. Schneider stated that landscaping and trellises could be put in. Based on the information presented, Michael Myszka made a motion to recommend approval of the site plan with the following conditions: 1. Landscape plan needed for the area behind the garages, 2. Roads need to be moved toward the center to provide safety to when backing out of driveways. Steven Socha seconded the motion. Councilmember Stempniak stated that she felt that this project was unacceptable as presented. She said that the 10' driveways need to be lengthened, the light-duty paving must be heavy duty, and the area behind the garage units will need more than trellises with landscaping. After a brief discussion, it was suggested that this project be tabled to the June 18, 2003 Planning Board Meeting in order to give the applicant the opportunity to address the concerns stated by the Planning Board. Michael Myszka made motion to withdraw his original motion to recommend approval. This motion was seconded by Steven Socha and unanimously carried.

DETERMINATION

At the request of the applicant, this project is tabled to the June 18, 2003 Planning Board Meeting. At that time the applicant will provide the Planning Board with a revised site plan showing: 1. A more detailed landscaping plan for the area behind the garage units, 2. Buildings moved toward the center to allow for longer driveways, 3. Light duty paving replaced with heavy duty paving. Motion was made by John Gober; seconded by Rebecca Anderson and unanimously carried.

SITE PLAN REVIEW/VALERIE JUREK, 6144-6152 BROADWAY. PROPOSED 1,200 SQ. FT. BUILDING FOR FRUIT AND VEGETABLE SALES ON THE NORTH SIDE OF BROADWAY. PROJECT NO. 6131 A REZONE WAS APPROVED IN MAY 2000 FOR THIS PROJECT.

Paul Jurek presented to the Planning Board the site plan for the 1,200 sq. ft. pole barn which will be constructed on vacant land. The building will be used for fruit and vegetable sales, seasonal ornamental, craft sales, and ice cream sales. There will be a parking lot and outside lighting. Mr. Jurek told the Planning Board that the parking lot will be paved after it has settled for one year. The Planning Board stated that the parking lot must be dust free. Mr. Jurek also said that there is no need for a dumpster. Chair Keysa stated that if a dumpster is needed, it must be on a hard surface and screened. No landscaping plan was submitted for this project.

DETERMINATION

Based on the information provided to the Planning Board, Rebecca Anderson made a motion to recommend approval of the site plan to the Town Board with the following conditions: 1. Submission of landscaping plan approved by Crew Chief Terrence McCracken, 2. Lighting to be approved by Building Inspector, 3. If a dumpster is needed, it must be on a hard surface and screened. Motion seconded by Steven Socha and unanimously carried.

DONALD G. SYMER, A RESIDENT OF LANCASTER, REQUESTED PERMISSION TO SPEAK TO THE PLANNING BOARD MEMBERS ON UNDERGROUND WATER DETENTION. CHAIRMAN KEYSA REQUESTED THAT MR SYMER BE SCHEDULED ON THE JUNE 4, 2003 AGENDA

Mr. Donald G. Symer, a resident of the town of Lancaster, spoke to the Planning Board about underground water detention and underground piping regarding the Site Plan/Twin District Volunteer Fire Company, Project No. 2309. This project was recommended for Town Board approval at the May 7, 2003 Planning Board Meeting. He also provided the Planning Board with copies of information concerning various pipe sizes in underground water detention. He told the Planning Board that this information was also provided to the Town Board members. Chair Keysa thanked Mr. Symer for the information.

At 10:00 PM Michael Myszka made a motion to adjourn the meeting in memory of Kathleen Szymanski Baccari, daughter of Melvin Szymanski. Motion seconded by Rebecca Anderson and unanimously carried.

